

4-25-05

JC03 Rec'd PCT/PTO 22 APR 2004

042205

FORM PTO-1390 (REV. 02-2005) TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE ATTORNEY'S DOCKET NUMBER 41587-370
INTERNATIONAL APPLICATION NO. PCT/US03/34487		U.S. APPLICATION NO. (If known, see 37 CFR 1.51) 10/185,942 10/532549
INTERNATIONAL FILING DATE 29 October 2003 (29.10.2003)		
PRIORITY DATE CLAIMED 1 November 2002 (01.11.2002)		
TITLE OF INVENTION MASSAGE APPARATUS AND METHOD FOR LUMBAR SUPPORT		
APPLICANT(S) FOR DO/EO/US L & P PROPERTY MANAGEMENT COMPANY		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Other items or information: Article 34 Amendments, Postcard Receipt 		

page 1 of 2

U.S. APPLICATION NO. (if known) (37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/32549 10/286440		PCT/US03/34487		41587-370	
The following fees are submitted:				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic fee \$300				\$300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$100.00	
23. <input checked="" type="checkbox"/> Search Fee Search fee (37 CFR 1.44(a)(2)) has been paid on the international application to the US PTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$100.00	
TOTAL OF 21, 22 AND 23=				\$500.00	
<input type="checkbox"/> Additional fee for specification and drawings files in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
20 -100=	0 /50=			X \$250	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 =	0	x \$ 50		\$0.00
Independent claims	2 - 3 =	0	x \$200		\$0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	
TOTAL OF ABOVE CALCULATIONS =				\$0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$500.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$130.00	
TOTAL NATIONAL FEE =				\$500.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$0.00	
TOTAL FEES ENCLOSED =				\$630.00	
				Amount to be refunded:	\$
				charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$630.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. 08-3460 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-3460. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to review (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Robert C. Haldiman, Reg. No. 45,437					
Husch & Eppenberger, LLC					
190 Carondelet Plaza					
St. Louis, MO 63105					
(314)480-1500					
 Agent's Signature					
Date: <u>April 22, 2005</u>					

EXPRESS MAIL CERTIFICATE OF MAILING (37 CFR 1.10)	
Express Mail No.: EV 630758158 US	

Deskcat No.
101532549

Applicant(s): L & P PROPERTY MANAGEMENT COMPANY

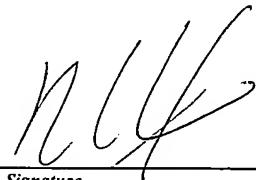
International Application No. PCT/US2003/34487	International Filing Date 29 October 2003 (19.10.2003)	Priority Date Claimed 1 November 2002 (01.11.2002)	DO/EO/US US
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Title:
MASSAGE APPARATUS AND METHOD FOR LUMBAR SUPPORT

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Transmitted herewith is:

- Transmittal Letter to the US Designated/Elected Office Concerning a Filing Under 35 USC 371
- Article 34 Amendments
- Declaration
- Transmittal of Information Disclosure Statement
- Form 1449 Information Disclosure Statement
- Check in the amount of \$630.00
- Acknowledgement Card
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-
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Signature

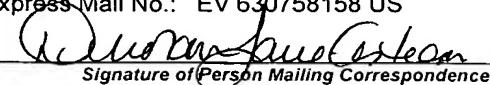
Dated: 4-22-2005

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309-637-4900
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Customer No. 029493

I certify that the document and fee is being deposited on
4-22-2005 with the U.S. Postal Service as
Express Mail under 37 C.F.R. 1.10 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.

Express Mail No.: EV 630758158 US


Signature of Person Mailing Correspondence

Deborah Lane-Christian
Typed or Printed Name of Person Mailing Correspondence